

USSN: 09/734,101
Atty. Docket No.: 10244
Amdt. dated February 27, 2004
Reply to Office Action of December 5, 2003

REMARKS/ARGUMENTS

Upon entry of the claim amendments, Claims 1-20 will be all the claims pending in the application.

Applicants have amended Claim 1 to recite that the porous surface layer further comprises a printed image on an outer surface thereof. Amended Claim 1 is supported by the application as originally filed, including, for example, Examples 1-12 and the description at page 17, lines 4-6. No new matter has been added.

Claims 2-10 have not been further amended, and they each depend (directly or indirectly) from Claim 1.

Accordingly, Applicants respectfully request the reconsideration and withdrawal of the §102(b)/§103(a) rejection of Claims 1-3 and 9-10 over U.S. Patent 3,853,601 to Taskier and the §103(a) rejection of Claims 5-7 over Taskier in view of U.S. Patent 4,731,304 to Lundquist, *et al.* ("Lundquist").

Taskier and Lundquist are each directed to battery separators. There is no disclosure in either reference to provide a printed image on an outer surface of the porous surface layer. The silence of the references with respect to printing and ink-jet printing also necessarily means that the references fail to provide the motivation or suggestion to modify their disclosures and arrive at the invention of present Claims 1-10. Furthermore, it is completely unexpected from Taskier and Lundquist that the claimed coating consisting essentially of a silicone glycol composition would achieve the superior results demonstrated by the examples and Table 1 of the present specification in the field of ink-jet printing.

A new claim set consisting of Claims 11-15 has been added. Claim 11 is basically original Claim 4 rewritten as an independent claim, except that Claim 11 recites that the porous surface layer further comprises an inorganic cavitating agent. Support for new Claim 11 is found at page 7, lines 17-21. Claim 12 is identical to original Claim 4. Claims 13-15 each depend

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from Claim 11 (directly or indirectly) and are also supported by the application as filed, including original Claims 5-6 and 8. No new matter has been added.

Applicants note with appreciation the Examiner's indication of allowable subject matter at Section 6, pages 4-5, of the Action mailed December 5th. In particular, Applicants note the Examiner's indication that the inclusion of the calcium carbonate in the porous surface layer renders it patentable over the prior art.

In addition to failing to disclose or suggest the inclusion of the calcium carbonate in the porous surface layer, the prior art fails to disclose or suggest the inclusion of an inorganic cavitating agent in the porous surface layer. Perchloroethylene, which has been relied upon by the Examiner at page 3, lines 9-15, of the Action, as acting as a cavitating agent, is an example of an organic cavitating agent. The prior art fails to disclose or suggest the inclusion of an inorganic cavitating agent in the porous surface layer.

Accordingly, Claims 11-15 are also allowable over the prior art.

A second new claim set, consisting of Claims 16-20, has been added.

With respect to new Claim 16, Applicants note with appreciation the Examiner's indication of allowable subject matter at Section 6, pages 4-5, of the Action mailed December 5th. In particular, Applicants note the Examiner's indication that the inclusion of the non-porous skin layer coextruded to the core layer on the opposite side of the core layer from the porous surface layer is structurally distinguished from the prior art.

New Claims 17-20 each depend from Claim 16 (directly or indirectly) and are also supported by the application as filed, including original Claims 2-4 and 6. No new matter has been added.

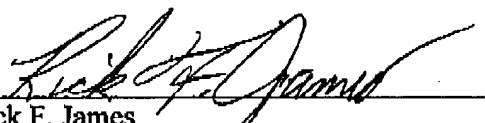
Accordingly, Claims 16-20 are also allowable over the prior art.

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Reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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